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CHARLOTTE, N.C.

JUL 20 2005
Clerk, U. S. Dist. Court
W. Dist. of N. C.

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

UNITED STATES OF AMERICA

vs.

(12) HILARIO PENA-MARTINEZ

) DOCKET NO. 5:03CR48-V
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ORDER


This matter is before the Court upon Motion of the Government requesting that the defendant's sentence be reduced pursuant to Fed. R. Crim. P. 35(b).

The Court finds, for the reasons stated in the Government's motion, that the defendant has provided substantial assistance to the Government through testimony against several defendants since the imposition of his sentence of 78 months imprisonment, offense level 27, criminal history category I, on January 10, 2005.

IT IS THEREFORE, ORDERED that the defendant's sentence be reduced to 36 months imprisonment and all other terms and conditions previously imposed will remain the same.

IT IS FURTHER ORDERED that the Clerk certify copies of this Order to the defendant, counsel for the defendant, the United States Attorney, the United States Marshals Service, and the United States Probation Office.

This the 4th day of ^{AUG.}~~July~~, 2005.


RICHARD L. VOORHEES
UNITED STATES DISTRICT JUDGE